UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,140	12/13/2000	Andrew J. Fish	042390.P9468	9123

7590   05/23/2003

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EXAMINER
TRUONG, LECHI

ART UNIT	PAPER NUMBER
2126	4

DATE MAILED: 05/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	**Applicant(s)**
Office Action Summary	09/737,140	FISH ET AL.
	Examiner	**Art Unit**	
	LeChi Truong	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _13 December 2000_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-27_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-27_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6)☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   Claims **1, 2, 5, 6, 10, 11, 14, 15, 19, 20, 23, 24** are rejected under 35 U.S.C. 103(a) as

being unpatentable over   Provino et al (US. Patent 5,732,282) in view of Admit Prior Art

(APA).

       As to claim 1, Provino teaches a processor (processor 11, col 2, ln 35-65), first computer

system units (virtual device drives, generally identified by reference numeral 22, col 3, ln 15-

38/ fig. 2), receiving information (information, calling information, col 3, ln 15-38, col 4, ln

21-42), memory (registration 20, col 3, ln 35-65/ col 4, ln 21-42/ registration data base, col 5,

ln 45-50/ fig. 2), second computer system unit (application program and other virtual device

drivers, col 3, ln 15-38/col 4, ln 21-42), an initial request(call information request, col 1, ln

54-67/ request, col 4, ln 1-12/ calling program, col 3, ln 35-65/ the call, col 4, ln 21-42), said

received information stored in said memory before the receipt of said request /subsequent to

said request (after registering with the registry 20, the virtual device drivers are available for

call by calling programs, col 3, ln 35-65).

Provino does not explicit use the BIOS routine for receiving and transmitting the

information. However APA teaches BIO routine initialization(page 3, ln 1-20).

It would have been obvious to apply the teaching of APA to Provino in order to enable a

computer to start the operating system and to communicate with the various devices in the

system, such as disk drives, keyboard, monitor, printer.

       As to claim 2, Provino teaches information (information, calling information, col 3, ln

15-38, col 4, ln 21-42).

Provino does not explicit teach unit information, system information, error information, status information, configuration information, and event information. However, APA teaches error information, status information, configuration information event information (page 3, ln 1-20).

It would have been obvious to apply the teaching of APA to Provino in order to describer the device 's information which are stored in memory should be provided to other device.

As to claim 5, Provino teaches the received information in a memory is according to a time of receipt of said information (at the initialization, the virtual device driver registering with the registry 20, col 3, ln 15-38).

As to claim 6, provino teaches the receiving information stored in the memory before a receipt of said request (after registering with the registry 20, the virtual device driver are available for call by calling program, col 3, ln 15-38).

As to a machine-readable medium of claim 10, see the rejection of claim 1.

As to a machine-readable medium of claim 11, see the rejection of claim 2.

As to a machine-readable medium of claim 14, see the rejection of claim 4.

As to a machine-readable medium of claim 15, see the rejection of claim 6.

As to a computer of claim 19, see the rejection claim 1.

As to a computer of claim 20, see the rejection claim 2.

As to a computer of claim 23, see the rejection claim 5.

As to a computer of claim 24, see the rejection claim 6.

2.   Claims **3,4, 12,13, 21, 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Provino et al (US. Patent 5,732,282) in view of Admit Prior Art (APA) and further in view of PI

(Persistor CF1 User's Manual BIOS Management Calls).

As to claim 3,4, Provino teaches information (information, calling information, col 3, ln

15-38, col 4, ln 21-42).

Provino does not teach an API for the receiving and providing information. However, PI

teaches BIOSAPI (Page 4of 7 and 5of 7).

It would have been obvious to apply the teaching of PI to Provine in order to make

computer system BIOS initialization more consistent with the operating environment.

As to a machine-readable medium of claim 12,13, see the rejection of claim 3,4.

As to a computer of claim 21, 22 see the rejection claim 3,4.

3.   Claims **7,8, 9, 16, 17, 18, 25, 26, 27** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Provino et al (US. Patent 5,732,282) in view of Admit Prior Art (APA) and

further in view of OSR (Using The NT Registry for Driver Install).

As to claim 7, Provino teaches information (information, calling information, col 3, ln

15-38, col 4, ln 21-42).

Provino does not teach a sequence number and an absolute time. However, OSR teaches

Type value, start value (section: the keys, required values).

It would have been obvious to apply the teaching of OSR to Provino in order for the

Window to be able to correctly find, load and start a device.

As to claim 8, Provino teaches information (information, calling information, col 3, ln 15-38, col 4, ln 21-42), request (call information request, col 1, ln 54-67/ request, col 4, ln 1-12/ calling program, col 3, ln 35-65/ the call, col 4, ln 21-42).

Provino does not teach a categorized subset of all said received information. However, OSR teaches group (section: group).

It would have been obvious to apply the teaching of OSR to Provino in order for the Window to be able to correctly find, load and start a device.

As to claim 9, see the rejection of claim 8.

As to a machine-readable medium of claim 16, see the rejection of claim 7.

As to a machine-readable medium of claim 17, see the rejection of claim 8.

As to a machine-readable medium of claim 18, see the rejection of claim 9.

As to a computer of claim 25, see the rejection claim 7.

As to a computer of claim 26, see the rejection claim 8.

As to a computer of claim 27, see the rejection claim 9.

4.   *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5PM.

Fax phone: AFTER_FINAL faxes must be signed and sent to: (703) 746-2738, OFFICAL faxes must be signed and send to: (703) 746-7239, NON OFFICIAL faxes should not be signed, please send to: (703) 746-7240

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703 305 9000.

LeChi Truong
May 19, 2003